

# Human Services Organization and Governance: Mecklenburg County

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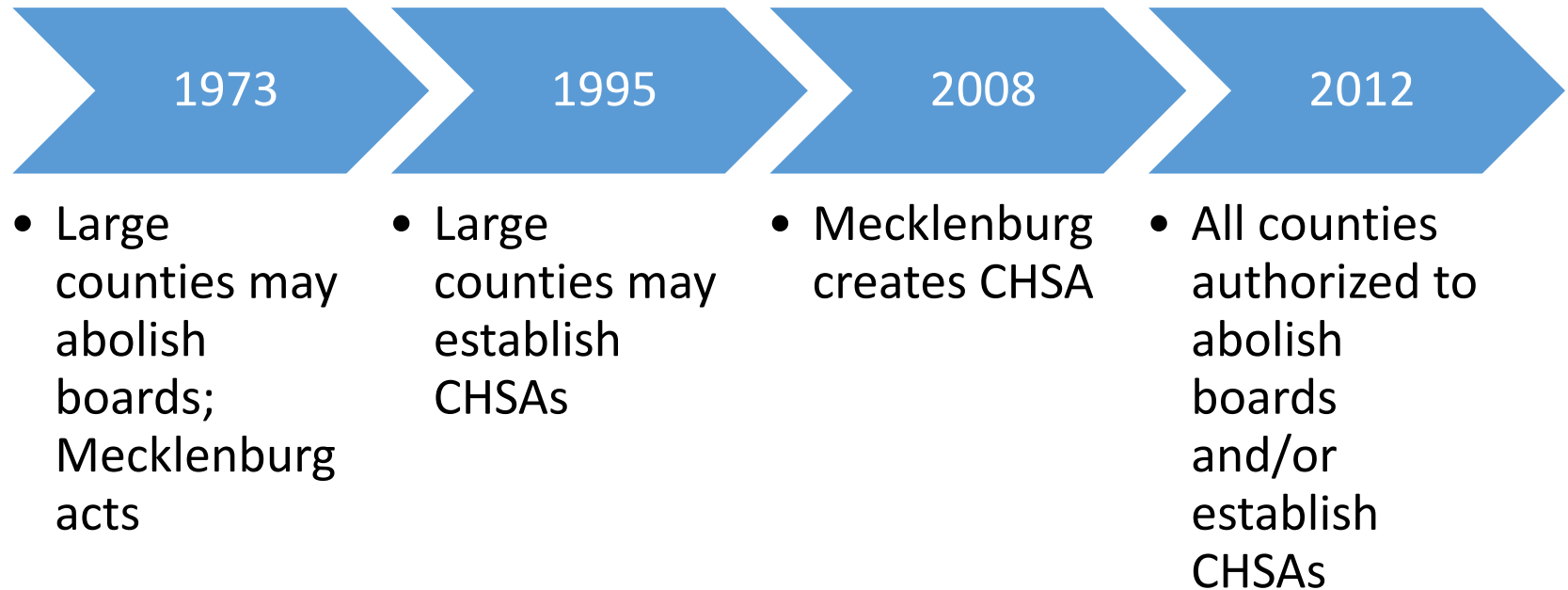


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# General Legal Framework

- Counties are required to provide public health and social services
- Law provides options for how these services may be organized into agencies
  - Single-county separate agencies
  - Consolidated human services agencies
  - Multi-county agencies
  - Other arrangements (authority models, interlocal agreements)
- Law provides options for governance of single-county agencies
  - Appointed governing board(s), or
  - BOCC may assume powers and duties of board(s)

# Background: Consolidation Timeline



# Background: 1973

- Large counties authorized to abolish boards
  - Counties that met a population threshold permitted to abolish appointed human services boards upon adoption of resolution, after public hearing.
  - Powers and duties of those boards transferred to board of county commissioners.
  - Mecklenburg county exercised this option.
  - G.S. 153A-77(a)

# Background: 1995

- Large counties authorized to create consolidated human services agencies
  - Counties that met population threshold permitted to consolidate public health, social services, and mental health into single agency.
  - Law established membership and powers & duties for appointed consolidated human services board; created position of consolidated human services director; removed agency employees from State Personnel Act (now known as SHRA).
  - Wake county exercised this option.
  - G.S. 153A-77(b)-(e)

# Background: 2008

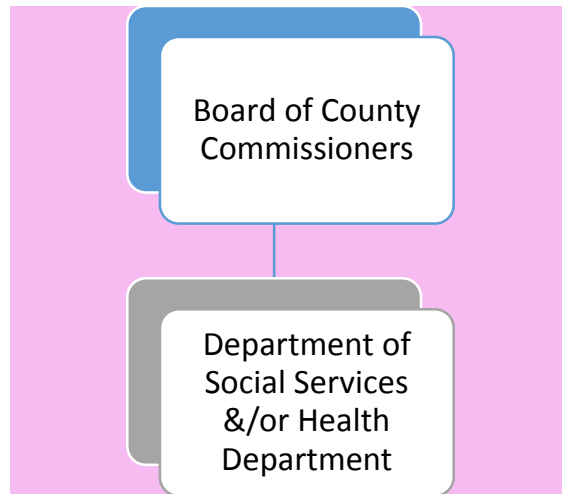
- Mecklenburg creates consolidated agency
  - County used existing legal authority to create a consolidated human services agency (CHSA) governed directly by the BOCC.
  - Consolidated human services director appointed.
  - CHSA employees removed from SHRA and placed under county personnel policies.

# Background: 2012

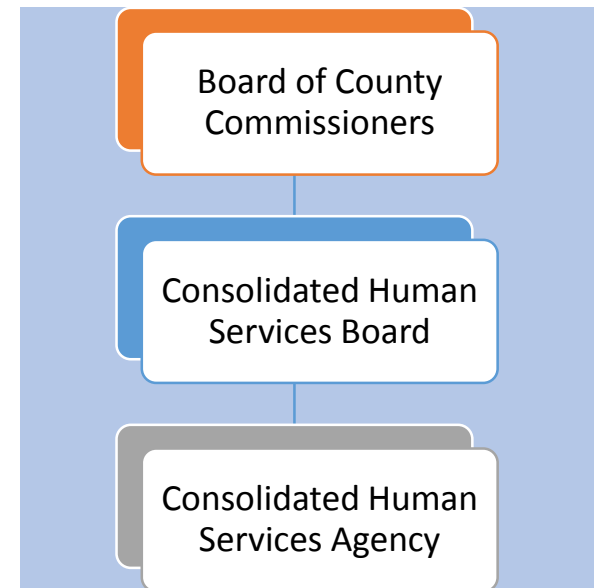
- All counties authorized to exercise options under G.S. 153A-77
  - Population threshold removed.
  - CHSA provisions amended to remove mental health.
  - Counties that abolished boards after January 1, 2012 required to appoint advisory committees.
  - Counties that created CHSAs authorized to elect whether employees would be under SHRA or county personnel policies.

# Options Under Consolidation Law

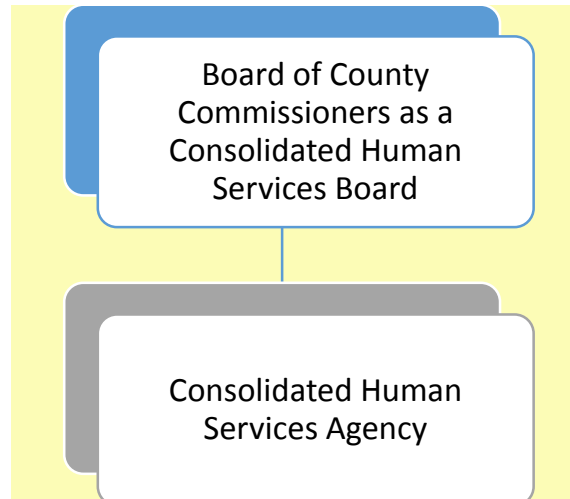
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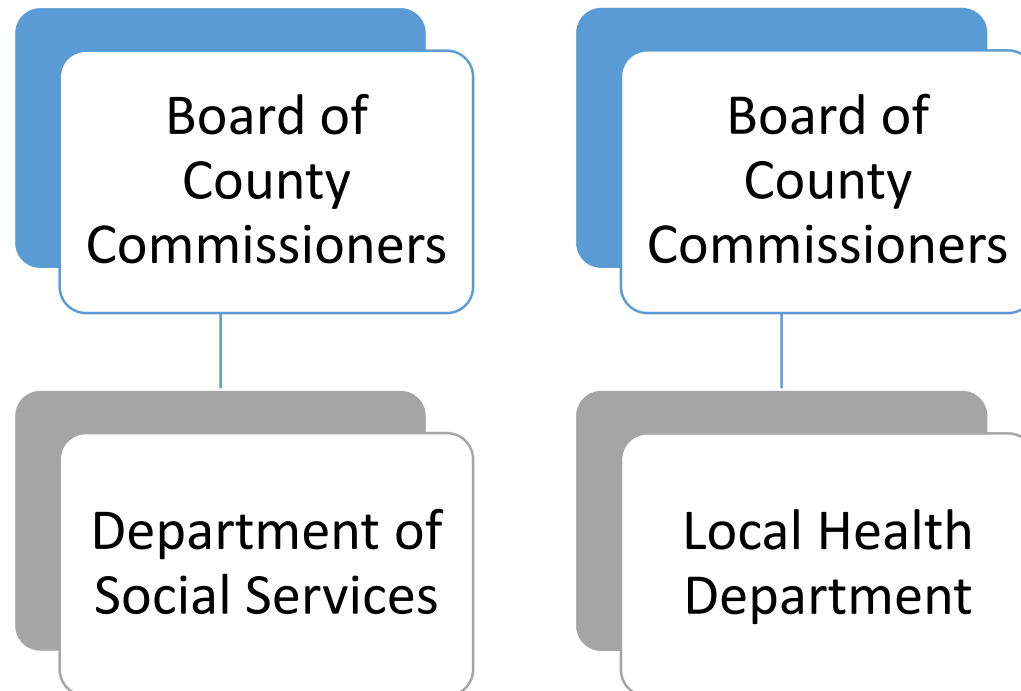


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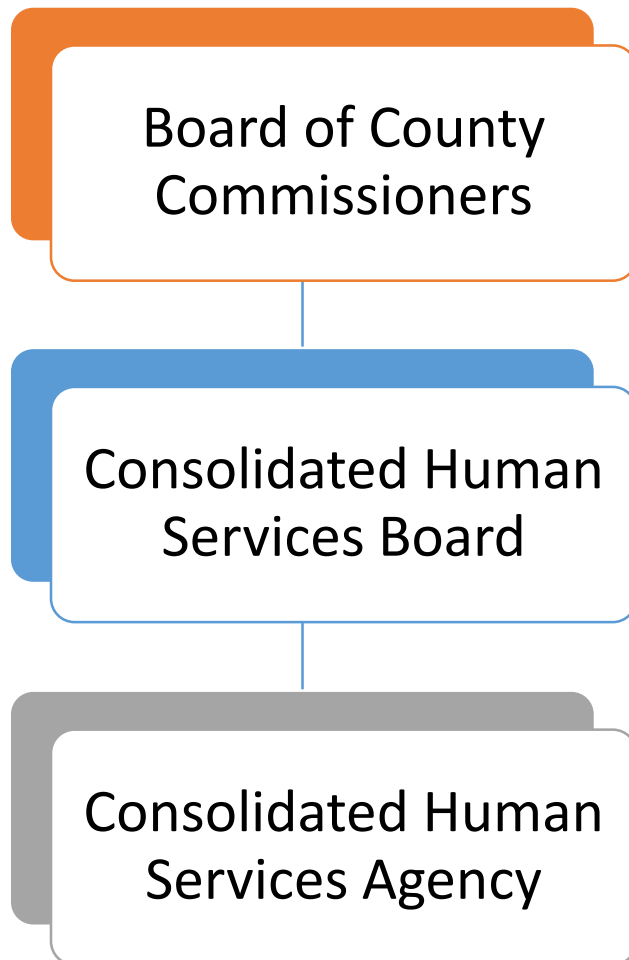


# Option One



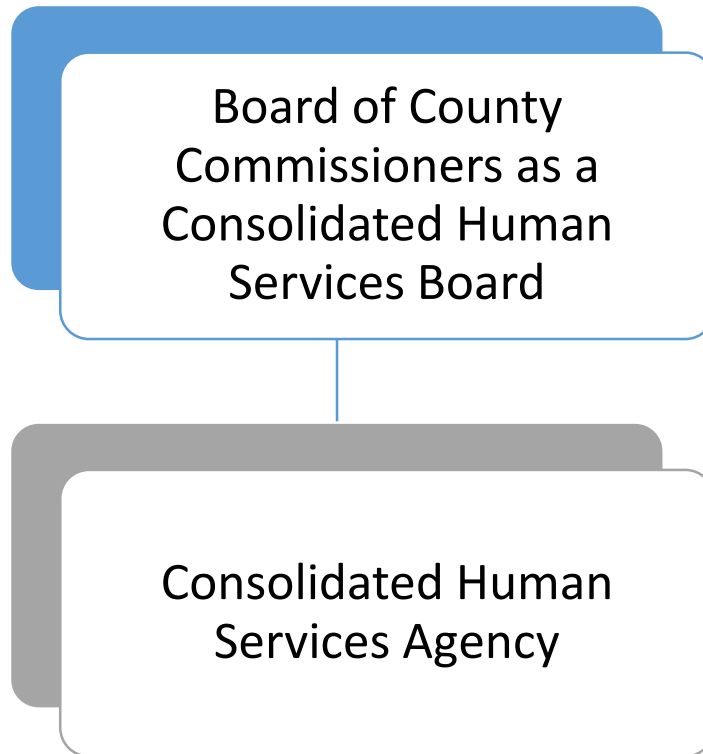
- Departments not consolidated
- BOCC assumes powers & duties of board(s) after public hearing
- BOCC appoints dept. directors
- If public health affected, must appoint health advisory committee
- Employees subject to SHRA

# Option Two



- BOCC creates CHSA & appoints CHS board
- Manager appoints CHS director w/advice & consent of CHS board
- CHS director appoints person with health director qualifications, with manager approval
- SHRA option

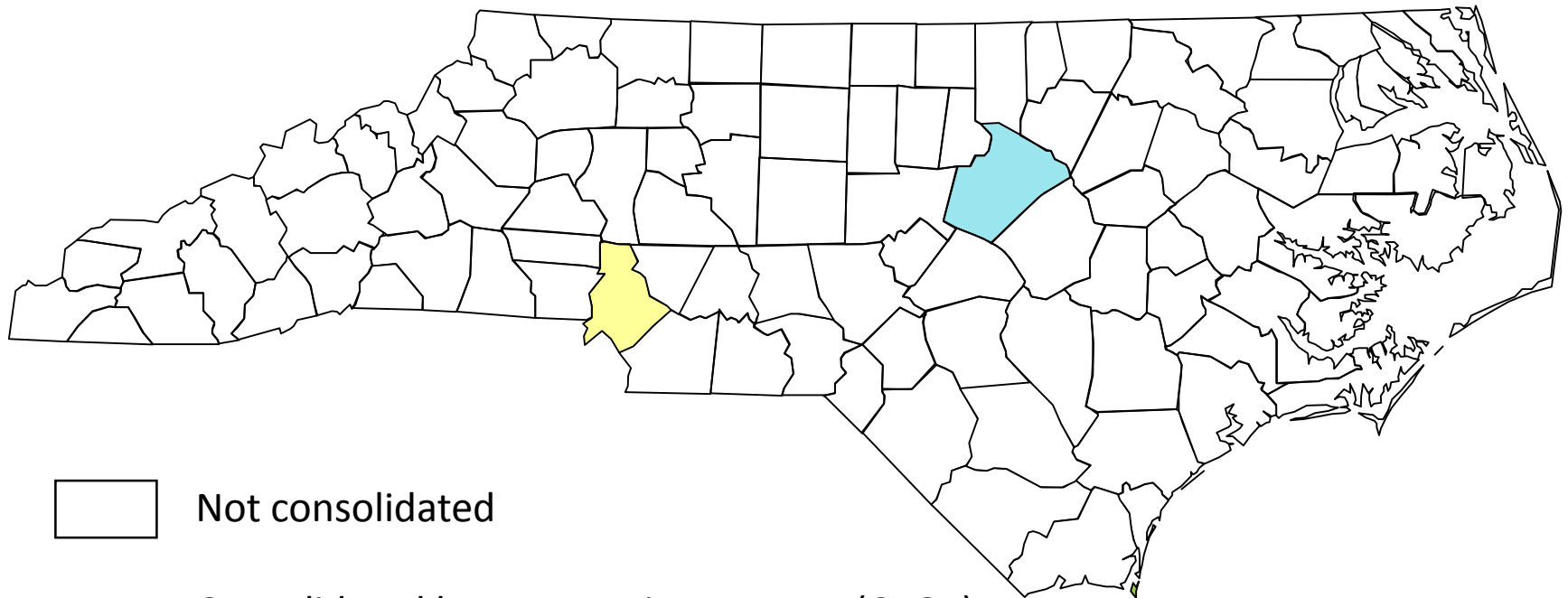
# Option Three



- BOCC creates CHSA & assumes powers & duties of CHS board after public hearing
- Manager appoints CHS director w/advice & consent of BOCC acting as CHS board
- CHS director appoints person with health director qualifications, with manager approval
- SHRA option
- If agency includes PH, must appoint health advisory committee

# PH and SS Organization and Governance

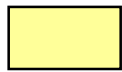
## June 2012



Not consolidated



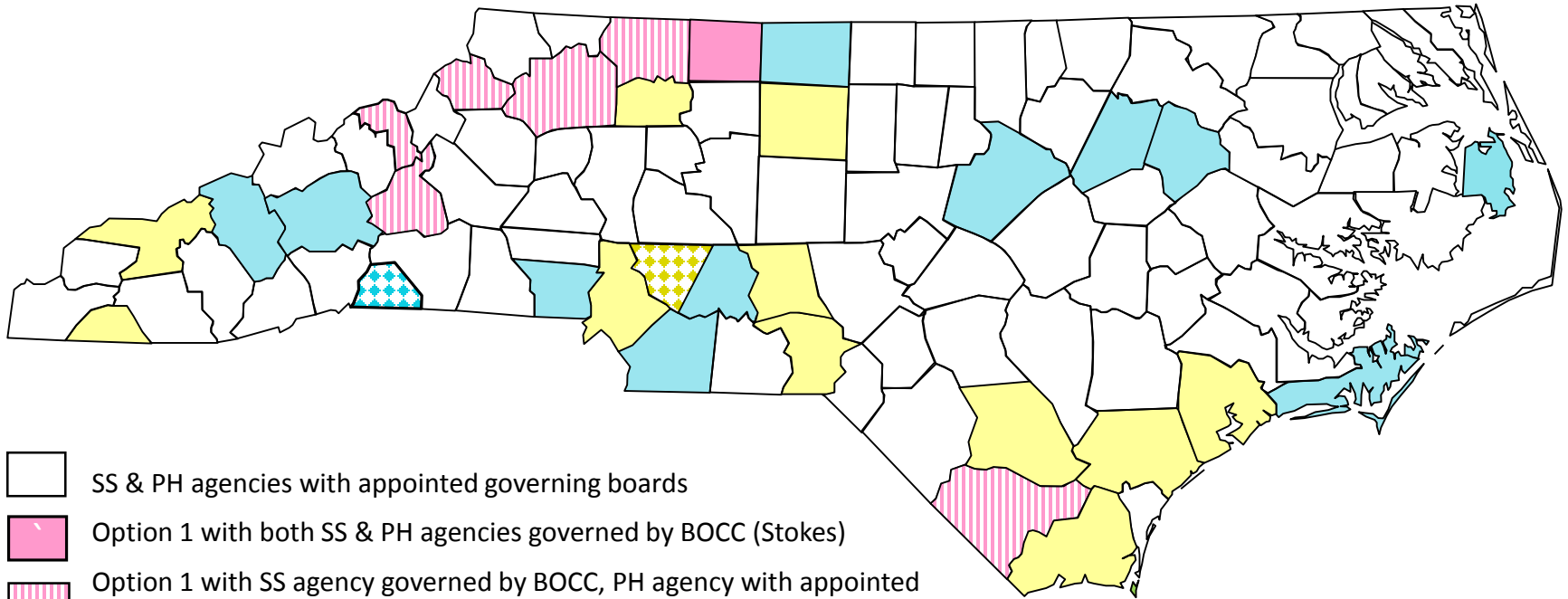
Consolidated human services agency (CHSA)  
with a consolidated human services board (Wake)










CHSA with BOCC as governing board (Mecklenburg)

# PH and SS Organization and Governance

Resolutions as of December 2017



-  SS & PH agencies with appointed governing boards
-  Option 1 with both SS & PH agencies governed by BOCC (Stokes)
-  Option 1 with SS agency governed by BOCC, PH agency with appointed governing board (McDowell, Mitchell, Watauga, Wilkes, Surry, Columbus)
-  Option 2 with consolidated HS agency including SS & PH, appointed CHS board (Haywood, Buncombe, Gaston, Union, Stanly, Rockingham, Wake, Nash, Edgecombe, Carteret, Dare)
-  Option 2 with consolidated HS agency include SS and other human services but not PH, governed by appointed CHS board (Polk)
-  Option 3 with consolidated HS agency including SS & PH, governed by BOCC, health advisory committee (Clay, Swain, Yadkin, Mecklenburg\*, Guilford, Montgomery, Richmond, Bladen, Brunswick, Pender, Onslow)
-  Option 3 with consolidated HS agency including SS & other human services but not PH, governed by BOCC (Cabarrus)

\*Mecklenburg county is not required to have a health advisory committee

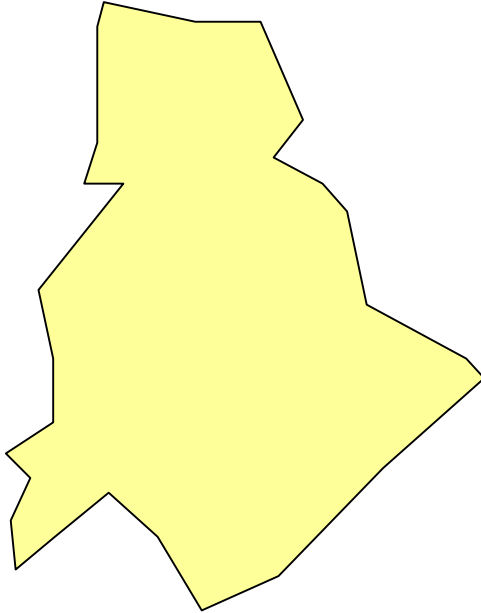
# Key Differences

	Board	Hire Agency Director	Personnel
<b>DSS</b>	Appointed; 3-5 mem.	Board hires	SHRA
<b>PH</b>	Appointed; 11 mem.	Board hires	SHRA
<b>One</b>	Elected*	BOCC hires	SHRA
<b>Two</b>	Appointed; up to 25 mem.	Manager hires with advice & consent of CHS board	SHRA Optional
<b>Three</b>	Elected*	Manager hires with advice & consent of BOCC	SHRA optional

\* If public health affected, must appoint health advisory committee (except in Mecklenburg)



# Mecklenburg County in 2018



- Consolidated human services agency
- BOCC exercises powers and duties of CHS board
- CHS director is appointed by county manager with advice & consent of BOCC
- CHSA employees appointed by CHS director, including person with health director qualifications, with approval of county manager
- CHSA employees covered by county personnel policies
- Advisory committees optional

# CHS Board

## Membership (if appointed)

- County commissioner
- 4 consumers of human services
- Professionals: psychologist, pharmacist, engineer, dentist, optometrist, veterinarian, social worker, registered nurse, two physicians (one must be a psychiatrist)
- Up to 12 others

## Powers and duties

- Assume all powers and duties of PH/SS boards, except hiring director
- Other powers and duties
  - Advise and consent to hiring/firing of director
  - Plan and recommend a budget
  - Assure compliance with state/federal laws
  - Recommend creation of human services programs
  - Perform public relations and advocacy functions



# Board of Social Services

## Membership (if appointed)

- Two members appointed by BOCC
- Two members appointed by NC Social Services Commission
- One member appointed by the other members

## Powers and duties

- Consult with director in preparing agency budget
- Authority to inspect social services and public assistance records
- Authority to make some decisions related to Work First, Special Assistance, & services funded through Social Services Block Grant\*
- Review suspected cases of fraud for some public assistance programs\*

\* May be delegated to the director



# Board of Health

## Membership (if appointed)

- County commissioner
- Physician
- Dentist
- Optometrist
- Veterinarian
- Registered nurse
- Pharmacist
- Professional engineer
- Three members of general public

## Powers and duties

- Make policy for local public health agency
- Adopt local public health rules
- Adjudicate disputes regarding local rules or locally imposed public health administrative penalties (fines)
- Impose local public health fees
- Satisfy state accreditation requirements for local boards of health

# If commissioners assume health board powers/duties, who must do what?

## Board of Commissioners

- Adopt local public health rules
- Adjudicate disputes about local rules or local fines
- Non-delegable accreditation activities:
  - Be trained in service as a public health board
  - Assure the development, implementation, and evaluation of local health services and programs to protect or promote health
  - Participate in the establishment of public health goals & objectives
  - Assure the resources to implement the essential public health services prescribed in law

## Advisory Committee

- Advise on public health matters
- Accreditation activities (if delegated by commissioners):
  - Review community health assessment data and citizen input to plan & monitor progress toward health goals; assure that community members have the opportunity to participate in developing goals
  - Communicate with governmental and private entities in support of public health funding and programs, and community health improvement
  - Advocate for public health in the community
  - Promote community-based public health partnerships

# CHS Director Powers & Duties

- Appoint CHSA staff with county manager's approval
- Administer state & local human services programs
- Act as secretary & staff to CHS board
- Plan CHSA budget
- Advise BOCC through county manager
- Perform regulatory functions of investigation & enforcement of state & local health regulations
- Act as agent of and liaison to state
- Appoint an individual with local health director qualifications
- Exercise (or delegate, when permitted) legal powers & duties of local health director and director of social services

# CHS Director Powers & Duties

## Examples of Local Health Director Powers & Duties

- Administer public health programs & enforce PH laws
- Employ PH remedies, including abating PH nuisance, imposing fines in some instances, seeking misdemeanor charges against violators, food embargo
- Investigate & control spread of communicable disease
- Order isolation or quarantine
- Rabies control activities
- Disseminate PH information and protect health

## Examples of Social Services Director Powers & Duties

- Administer SS programs
- Serve as guardian of incompetent adults
- Serve as temporary guardian of minor children
- Serve on community child protection team, child fatality prevention team, & juvenile crime prevention council
- Arrange disposition of unclaimed bodies
- Issue youth employment certificates
- Perform functions specified in local emergency management plans

# Options for Mecklenburg

- Make no changes
- De-consolidate human services
  - Separate public health and/or social services
  - SHRA implications
- Create a consolidated human services board
  - Board of commissioners would not be governing board
- Appoint one or more new advisory committees
  - Board of commissioners could delegate some authority/responsibilities to those committees

# Questions?

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- CHSA Resources
  - <https://www.sog.unc.edu/resources/microsites/north-carolina-public-health-law/consolidated-human-services-agencies-chsas>

